

Notice of Allowability

Application No.

10/035,712

Examiner

Omar F. Fernández Rivas

Applicant(s)

MORRIS ET AL.

Art Unit

2129

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an RCE entered on 7/13/2007.
2. ☒ The allowed claim(s) is/are 2-11, 13-21 and 23-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Art Unit: 2129

DETAILED ACTION

1. This Office Action is in response to a RCE filed by the Applicant entered on July 13, 2007.
2. Claims 2-11, 13-21 and 23-31 are allowed.

Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance: claims 2-11, 13-21 and 23-31 are considered allowable since when reading the claims in light of the specification, as per MPEP § 2111.01 and/or In re Sneed, 710 F.2d 1544, 1548, 218 USPQ 385 (Fed. Cir. 1983), none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims.

The instant application discloses a level selection table that allows the user to select levels associated with the selected hierarchy of members (as defined at e.g., pg. 14, L1-25 to pg. 15, L2 4) and a member selection script that is executed after the hierarchy of members has been modified to reproduce the user's original input to the member selection interface based on the members and hierarchical relationships of the user's original actions in navigating through the hierarchy of members (as defined at e.g., pg. 3, L13-23; pg. 13, L18-32), as specified in claims 2, 13, and 23.

Weinberg et al (US Patent #6,587,969) discloses a method for testing a transactional server. The user steps taken during a user session with the transactional server are recorded by capturing and displaying screens returned

Art Unit: 2129

by the transactional server. The test is displayed as a hierarchical node structure in which the transaction steps are represented as nodes that have properties that can be edited.

Schumacker et al (US Patent #6,532,023) discloses a method for recording user interactions with the components of an applet. An applet event recorder detects events when a user interacts with the applet. The events are stored in a queue and played back at a later time.

However, the combination of Weinberg and Schumacker do not teach the combination of limitations of independent claim 2. In particular, Weinberg and Shumacker do not teach a level selection table that allows the user to select levels associated with the selected hierarchy of members, and executing the member selection script after the hierarchy of members has been modified to reproduce the user's original input to the member selection interface based on the members and hierarchical relationships of the user's original actions in navigating through the hierarchy of members.

Claims 3-11 are dependent on claim 2 and are therefore allowable.

Claims 13-21 and 23-31 recite limitations similar to that of claims 2-11 and are allowable for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sullivan et al. US Patent #6,694,314

Sullivan et al. US Patent #6,477,531

Baquero US Patent #6,724,402

Wenzel et al US patent #7,043,693

5. Claims 2-11, 13-21 and 23-31 are allowed.

Correspondence Information

6. Any inquires concerning this communication or earlier communications from the examiner should be directed to Omar F. Fernández Rivas, who may be reached Monday through Friday, between 8:00 a.m. and 5:00 p.m. EST. or via telephone at (571) 272-2589 or email omar.fernandezrivas@uspto.gov. If you need to send an Official facsimile transmission, please send it to (571) 273-8300.

If attempts to reach the examiner are unsuccessful the Examiner's Supervisor, David Vincent, may be reached at (571) 272-3080.

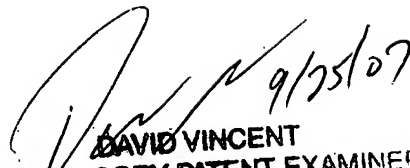
Hand-delivered responses should be delivered to the Receptionist @ (Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22313), located on the first floor of the south side of the Randolph Building.

Art Unit: 2129

Omar F. Fernández Rivas
Patent Examiner
Artificial Intelligence Art Unit 2129
United States Department of Commerce
Patent & Trademark Office

Monday, September 17, 2007

OFR

 9/25/07
DAVID VINCENT
SUPERVISORY PATENT EXAMINER